

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 STIG STRONG,

4 Plaintiff

5 v.

6 STATE OF NEVADA, et al.,

7 Defendants

Case No.: 2:17-cv-02860-APG-PAL

**Order Dismissing Case and Denying
Motion as Moot**

[ECF No. 13]

8 Plaintiff Stig Strong filed a complaint against the State of Nevada, the Carson City
9 Sheriff Department, Sheriff Ken Furlong, Sheriff Deputy James Surratt, Dr. Joe (psychiatric
10 provider), and Sergeant Carl Fry. ECF No. 4. In a screening order, I determined that Strong had
11 failed to adequately plead claims for violation of his Eighth and Fourteenth Amendment rights
12 stemming from (1) allegations that the defendants deprived him of adequate post-traumatic stress
13 disorder treatment during his incarceration in the Carson City Jail, and (2) being falsely
14 imprisoned because his attorney forced him to take a plea deal. Accordingly, I dismissed those
15 claims with leave to amend. ECF No. 3 at 7-9. I also determined that Strong stated a colorable
16 claim for excessive force against Fry. *Id.* at 8.

17 On August 8, 2018, Strong moved for leave to amend his complaint. ECF No. 17.
18 Magistrate Judge Leen denied his motion because (1) it was filed nearly three weeks after the
19 July 2, 2018 deadline designated in the scheduling order, (2) he did not demonstrate good cause
20 or excusable neglect, and (3) his motion consisted of one sentence stating that he had “found new
21 defendants as well as new violations.” ECF No. 21. Strong also failed to respond to Fry’s July
22 27, 2018 motion for summary judgment. ECF No. 13.

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1 It appears Strong is no longer incarcerated at High Desert State Prison, and he has failed
2 to keep the court apprised of his current address as required by Local Rule IA 3-1. *See* ECF Nos.
3 18 and 22. On February 28, 2019, Judge Leen ordered Strong to file a written notification of his
4 current address and contact information. ECF No. 23. Judge Leen recommended that I dismiss
5 this case if Strong does not update his contact information.

6 “A party, not the district court, bears the burden of keeping the court apprised of any
7 changes in his mailing address.” *Carey v. King*, 856 F.2d 1439, 1441 (9th Cir. 1988). Parties,
8 including pro se litigants, are warned that “[f]ailure to comply with this rule may result in the
9 dismissal of the action” LR IA 3-1. Strong has not complied with Judge Leen’s order. I
10 therefore dismiss his case without prejudice.

11 IT IS THEREFORE ORDERED that this case is dismissed without prejudice and Fry’s
12 motion for summary judgment (**ECF No. 13**) is **denied without prejudice as moot**. The Clerk
13 of the Court shall enter judgment accordingly and close this case.

14 DATED this 29th day of March, 2019.



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16 ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE
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